1	Dustin R. Marcello, Esq.				
2	Nevada bar No. 10134 PITARO & FUMO, CHTD.				
3	601 Las Vegas Boulevard, South Las Vegas, Nevada 89101 (702) 474-7554 Fax (702) 474-4210				
4					
5	Email: ozzie.fumolaw@gmail.com				
6	Attorney for Defendant – WILLIAM ADAMS				
7					
8	UNITED STATES DISTRICT COURT DISTRICT OF NEVADA				
9	* * *				
10					
11	UNITED STATES OF AMERICA, )				
12	Plaintiff, )				
13	)				
14	v. ) CASE NO.: 2:19-CR-314-APG-EJY				
15	WILLIAM ADAMS,				
	)				
16 17	Defendant. )				
18	STIPULATION AND ORDER TO CONTINUE SENTENCING HEARING				
19	IT IS HEREBY STIPULATED AND AGREED by and between DUSTIN R				
20	MARCELLO, ESQ., Counsel for Defendant WILLIAM ADAMS and BRIAN WHANG				
21	Assistant United States Attorney, that the Sentencing Hearing currently scheduled for Septembe				
22	22, 2021, at 3:30 p.m., be vacated and reset or a date and time convenient to the court, but no				
23	earlier than 2 weeks.				
24	This Stipulation is entered into for the following reasons:				
25	Counsel for defendant has spoken to defendant and he has no objection to the requestion.				
26	of continuance.				
27	2. Defendant is in custody in Pahrump.				
28	3. Counsel has spoken to AUSA WHANG and he does not oppose to the continuance.				

## 

1	4.	Defendant still has more quest	ions and concerns regarding sentencing and the fire		
2		available scheduled appointme	ent to see Defendant is set for the same day as the		
3		hearing.			
4	5.	Defense Counsel needs additio	onal time to go over issues that needs to be resolve		
5		prior to sentencing.			
7	6		yyanaa aayld magylt in a migaamiaga iyatiaa		
8		<del>-</del>	nuance could result in a miscarriage justice.		
9	7.	For all the above-stated reasons	s, the ends of justice would best be served by a		
10		continuance of the Sentencing I	Hearing until a date and time convenient to the court.		
11	This is the second request for continuance filed herein.				
12		DATED: September 20, 202	1		
13					
14	/S/ Dustin	R. Marcello, Esq.	/S/ Brian Whang, Esq.		
15	DUSTIN R	R. MARCELLO, ESQ.	BRIAN WHANG, ESQ.		
16	LAS VEG	YEGAS BOULEVARD, S AS, NEVADA 89101	ASSISTANT UNITED STATES ATTORNEY 501 LAS VEGAS BOULEVARD SOUTH. #1100		
17	ATTORNI WILLIAM	EY FOR THE DEFENDANT ADAMS	LAS VEGAS, NEVADA 89101 ATTORNEY FOR UNITED STATES OF		
18	.,,		AMERICA		
19					
20					
21   22					
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1	Dustin R. Marcello, Esq.				
,	Nevada bar No. 10134				
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5	Email: ozzie.fumolaw@gmail.com Attorney for Defendant – WILLIAM ADAMS				
6	Theories for Berendunt William Milliam India				
,					
7	UNITED STATES DISTRICT COURT				
8	DISTRICT OF NEVADA  * * *				
9					
10	HINDER CEARES OF AMERICA				
11	UNITED STATES OF AMERICA,				
12	Plaintiff, )				
	)				
13	v. ) CASE NO.: 2:19-CR-314-APG-EJY				
14	WILLIAM ADAMS,				
15	WILLIAM ADAMS,				
	)				
16	Defendant.				
17					
18					
	FINDINGS OF FACT				
19					
20	Based on the pending Stipulation of counsel, and good cause appearing therefore, the				
21	Court finds:				
	This Stipulation is entered into for the following reasons:				
22					
23	1. Counsel for defendant has spoken to defendant and he has no objection to the request				
24	of continuance.				
	of continuance.				
25	2. Defendant is in custody in Pahrump.				
26					
27	3. Counsel has spoken to AUSA WHANG and he does not oppose to the continuance.				
28					

- 4. Defendant still has more questions and concerns regarding sentencing and the first available scheduled appointment to see Defendant is set for the same day as the hearing.
- 5. Defense Counsel needs additional time to go over issues that needs to be resolved prior to sentencing.
- 6. Denial of this request for continuance could result in a miscarriage justice.
- 7. For all the above-stated reasons, the ends of justice would best be served by a continuance of the Sentencing Hearing until a date and time convenient to the court.

This is the second request for continuance filed herein.

## **CONCLUSIONS OF LAW**

Denial of this request for continuance would deny the parties herein the opportunity to effectively and thoroughly prepare for Sentencing Hearing.

Additionally, denial of this request for continuance could result in a miscarriage of justice.

## **ORDER**

IT IS HEREBY ORDERED that the Sentencing Hearing currently scheduled for September 22, 2021, at 3:30 p.m., be continued to the <u>26th</u> day of <u>October</u>, <u>2021</u> at <u>3:30 p.m.</u>, in courtroom <u>6C.</u>

DATED this 20th day of September , 2021.

U.S. DISTRICT JUDGE